

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

---

|  |   |                         |
|--|---|-------------------------|
| Eric Cruz, on behalf of himself and other, | : | Case No.: 4:15-cv-02573 |
| similarly situated individuals,            | : |                         |
|  | : |                         |
| Plaintiff,                                 | : |                         |
| v.   | : |                         |
|  | : |                         |
| ConocoPhillips, and ConocoPhillips         | : |                         |
| Company,                                   | : |                         |
|  | : |                         |
| Defendants.                                | : |                         |

---

**NOTICE OF OPPORTUNITY TO JOIN LAWSUIT**

---

**TO:** All Project Leads who worked for ConocoPhillips and ConocoPhillips Company and Received a Day Rate at Any Time from [THREE YEARS PRIOR TO NOTICE SENT DATE] to the Present

**RE:** Right to Join Lawsuit to Recover Unpaid Overtime Wages

*The Purpose of this Notice Is to Inform You of Your Right to Join a Lawsuit Filed on Behalf of  
Current and Former Project Leads Receiving a Day Rate Against ConocoPhillips and  
ConocoPhillips Company*

**1. What is this lawsuit about?**

A former Project Lead (“Plaintiff”) brought this lawsuit against ConocoPhillips and ConocoPhillips Company (collectively “ConocoPhillips”). Plaintiff alleges that ConocoPhillips paid Project Leads a day rate under the Fair Labor Standards Act (referred to as the “FLSA”) and did not compensate Project Leads properly for overtime hours worked. This lawsuit seeks to recover overtime wages, liquidated damages, and attorneys’ fees from ConocoPhillips.

ConocoPhillips denies the allegations and claims that Project Leads receiving a day rate are not entitled to overtime wages or other damages under the FLSA.

**2. Why Did I Get this Notice?**

The Court allowed the parties to send this notice to Project Leads receiving a day rate to inform them of their right to participate in this lawsuit, how to join the lawsuit, and how their rights may be affected by the lawsuit. You received a copy of this notice because ConocoPhillips’ records indicate that you may fit the above definition.

### **3. How Do I Join?**

If you are or were employed by ConocoPhillips as a Project Lead and you received a day rate, or if you worked as a Project Lead receiving a day rate for ConocoPhillips and were a called an independent contractor, 1099 worker, or consultant, at any time since **[THREE YEARS FROM THE DATE THIS NOTICE IS SENT]**, you may join this lawsuit. To participate, **you must fill out and send the enclosed Plaintiff Consent Form to the Plaintiff's attorneys postmarked no later than [60 days from the date notice is sent]**. You may email the attachment, fax or mail the signed consent to:

**Nichols Kaster, PLLP, Attn.: Paul J. Lukas  
4600 IDS Center, 80 South Eighth Street  
Minneapolis, Minnesota 55402  
Fax: (612) 215-6870  
Email: forms@nka.com**

### **4. What Happens if I Participate?**

If you choose to join this lawsuit, your interests will be represented by Plaintiff's attorneys Nichols Kaster, PLLP. These attorneys will represent you in the course of the lawsuit and all settlement discussions in connection with this lawsuit. Once you participate, you will be bound by any ruling or judgment by the Court, whether favorable or unfavorable.

The attorneys have taken this case on a contingency fee basis. This means they will only be paid if there is a monetary recovery through a settlement, judgment, or jury award in your favor. If there is a recovery, the attorneys will receive a part of any money judgment or settlement obtained in your favor. You will not have to pay the attorneys out of your own pocket. The details will be fully outlined in a separate fee agreement with the attorneys if you decide to join this case. The Court has retained jurisdiction to determine the reasonableness of any fees awarded to the attorneys.

### **5. Can ConocoPhillips Retaliate Against Me for Participating?**

The law does not allow employers to retaliate against employees for participating in a lawsuit against them. If you believe ConocoPhillips or, if you are employed by a third-party, the third-party is retaliating against you, or if someone is threatening to retaliate against you, please inform Plaintiff's attorneys immediately.

### **6. What if I Choose Not to Participate?**

If you do not wish to participate, you will not be affected by any judgment or included in any settlement in this case. You may instead choose to bring your own lawsuit or do nothing. The FLSA has time limits called statutes of limitations. These limitations are tolled when you join a lawsuit. If you do not join this lawsuit or start your own lawsuit, your limitations period will continue to run and eventually your right to bring an action will be time barred.

**THIS NOTICE AND ITS CONTENT HAS BEEN AUTHORIZED BY THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS. THE COURT HAS TAKEN NO POSITION REGARDING THE MERITS OF THIS LAWSUIT. PLEASE DO NOT CONTACT THE COURT REGARDING THIS NOTICE.**

---

**CONOCOPHILLIPS  
PLAINTIFF CONSENT FORM**

---

1. I consent to make a claim under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. against ConocoPhillips, ConocoPhillips Company, and any other related entities or affiliates (“Defendants”) to recover overtime pay.
2. During the past three years, there were occasions when I worked over 40 hours per week as a project lead, or in a similar position, for Defendants, and did not receive overtime compensation for, my overtime hours worked.
3. If this case does not proceed collectively, then I also consent to join any subsequent action to assert these claims.
4. I understand that I may withdraw my consent to proceed with my claims at any time by notifying the attorneys handling the matter.

Date: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

---

**Information Below Will Be Redacted in Filings with the Court. Please Print or Type.**

Address: \_\_\_\_\_

City, State Zip: \_\_\_\_\_

Best Phone Number(s): \_\_\_\_\_

Email: \_\_\_\_\_

**Return this form by  
fax, email or mail to:**

**Nichols Kaster, PLLP, Attn: Paul J. Lukas  
Fax: (612) 338-4878  
Email: forms@nka.com  
Address: 4600 IDS Center, 80 S. 8th Street, Minneapolis, MN 55402  
Web: www.nka.com**